

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-21-17

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UNITED STATES OF AMERICA :

- v. -

: CONSENT ORDER OF
FORFEITURE

SANNY NEMIS, : 16 Cr. 498 (DAB)

Defendant. :

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WHEREAS, on or about May 25, 2016, SANNY NEMIS, the defendant, was charged in a one-count Indictment, 14 Cr. 498 (DAB) (the "Indictment"), with conspiracy to engage in immigration fraud, in violation of 18 U.S.C. § 1546;

WHEREAS, the Indictment included a forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 982(a)(6), of any and all property, real and personal, that constitutes or is derived from, or is traceable to, proceeds obtained directly or indirectly from the commission of the offense; and any and all property, real or personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the offense alleged in Count One of the Indictment;

WHEREAS, on or about November 29, 2016, the defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the defendant admitted the

forfeiture allegation with respect to Count One of the Indictment;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$91,000 in United States currency, representing the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Joon H. Kim, Acting United States Attorney, Assistant United States Attorney Jessica K. Fender, of counsel, and the defendant, and his counsel, Matthew Kluger, Esq. that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$91,000 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, SANNY NEMIS, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Department of Treasury shall be authorized to deposit the payments on the Money Judgment in the Treasury Assets Forfeiture Fund ("TAFF"), and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and

to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to the attention of the Chief, Money Laundering and Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

JOON H. KIM
Acting United States Attorney for the
Southern District of New York

By:

Jessica Fender / Act
JESSICA K. FENDER
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2276

8/15/17
DATE

SANNY NEMIS

By:

Sanny Nemis
SANNY NEMIS

08/15/2017
DATE

By:

Matthew Kluger
MATTHEW KLUGER, ESQ.
Attorney for Defendant

8/15/17
DATE

SO ORDERED:

Deborah A. Batts
HONORABLE DEBORAH A. BATTES
UNITED STATES DISTRICT JUDGE

8/15/17
DATE